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TO

MR. RICHARD DELLER.

On the Report of the Committee on the Game Laws; on the conduct of the two Parson Justices, Robert Wright and Edmund Poulter; and on other Matters connected with the Game and Justice of Peace powers and practice.

Kensington, 15 May, 1823.

SIR,

THERE was, some time ago, a Committee appointed, in the House of Commons, to take into consideration the state of the Game Laws, and to report thereon to the House. This Committee have made their Report and have communicated the Evidence, on which the Report is founded. On this Report and Evidence I mean to make some remarks; and these remarks I address to you as a mark of my approbation of your conduct respecting the Petition, lately presented by you to the Parliament.

In my Register of the 24th of April I gave an account of the Bill, proposed to be brought into Parliament to authorize the sale of game and to confine that sale to the Normans and other men, "qualified" by estate in land. That Bill has since been brought It is now before the House; on Thursday last, BROUGHAM presented a Petition from ME against that Bill. If that Bill pass into a law, it will form one great feature in the character of our future struggles with the Normans. It will be a thing to be kept fresh in our minds at all times; and, therefore, before I proceed with the Report of the Committee, I shall insert this Petition, which was in the following words:

TO THE HONOURABLE THE COMMONS-OF GREAT BRITAIN AND IRELAND, IN PARLIAMENT ASSEMBLED.

The Petition of William Cobbett, of Kensington, in the County of Middlesex,

MOST HUMBLY SHEWETH,

That wild animals are, according to the law of nature and the common law of England, the pro-

perty of him, be he rich or poor, animals which it is a crime in who is able to catch or kill them; nine hundred and ninety-nine out that, nevertheless, laws have been passed in this kingdom to appropriate the animals to the exclusive use of a few; and that your Petitioner has been informed that certain persons intend to apply to your Honourable House to pass a law to make this appropriation more exclusive, rigid and unjust than it now is, by authorizing the selling of the animals aforesaid, and by confining the right of selling to those persons who now claim and exercise a monopoly of the sport of killing those wild animals.

That your Petitioner has now lying before him the Quarter Sessions Calendar of this present month of April, for the county of Berks; that he finds there to be seventy - seven prisoners in the Bridewell of that county; that he finds twenty-two of these to be imprisoned for peaching, and that nine of them have been committed by Ministers of the Church of England, acting as Justices of the Peace; that he finds, in this Calendar, that poaching is, in many cases, punished with more severity than theft; that he finds an utterer of base silver punished by twelve months' imprisonment, and a housebreaker punished by twenty-four months; and that he finds a poacher punished with twentyfour months' imprisonment and hard labour.

That your Petitioner thinks it monstrous injustice, that the rest of the community should be taxed to build and repair prisons and maintain gaolers and prisoners, and also the wives and children few a monopoly of the sale of of so many prisoners, and all this those animals, which, to the insofor the preserving of those wild lence of feudal pride, would add

of every thousand of that community to pursue, or to have in their possession; and he, therefore, prays, that your Honourable House, if you should think proper to continue the present game laws in force, will be pleased to enact, that those who prosecute poachers, shall pay all the expenses attending their imprisonment, or other punishment; and also all the expenses attending the support of wives and children rendered chargeable by such punishment.

That your Petitioner, looking at the above-mentioned scale of punishments, and bearing in mind, that, of sixteen persons, condemned to death at the assizes at Winchester, in the spring of last year, the only persons actually put to death were two young men, who had resisted gamekeepers; that your Petitioner, looking at these things, prays that your Honourable House will repeal those terrible laws, relating to the game, which were never known in England till the reign of the late King, and that, at any rate, you will not make game saleable without, at the same time, making those who are to have the exclusive profit, pay the expense of punishing poachers and also the expense of keeping their pauper families; for, though it seemed that nothing could add to the injustice of compelling men to feed wild animals and to pay for preserving them for the exclusive sport of others, yet that injustice would assuredly be rendered more odious by the proposed measure for giving the

shop. Great has been the suffering, great the humiliation to which the people, in different countries, have, at times, been reduced, by aristocratic power; but, to compel the mass of the community to pay for the preserving of wild animals, pursue, or touch those animals, and to enable the aristocracy to sell those animals, to have the sively to pocket the proceeds, though the animals have been reared at the expense of the whole community, is, as your Petitioner believes, a stretch of power on the one hand, and a state of abjectness on the other, wholly without a parallel in the annals of any country westward of Con-WM. COBBETT. stantinople.

the meanness of the huckster's of them for murder and the other for shooting at a man. Well! and, what then? Would the acts ever have been committed at all, had it not been for the new law, which makes it transportation to to punish them if they attempt to be caught in pursuing wild animals by night? Did not this law produce that resistance, which, (as exclusive sale of them, and exclu- the Hampshire Paper stated) the Judge (Burrough) said it was absolutely necessary to punish with the utmost severity?

But, this is a matter of so much importance, that we ought to have on record every thing relating to it. If the estates of the present landlords be not transferred to other Mr. Brougham, in presenting hands, it must be owing to the this petition, made a speech of common people. Base must that considerable length in support of people be to wish to put a stop to the main principles of it; and, the transfer, until the game laws he certainly did me no more than be brought back to what they were justice to say, that I was amongst before the Septennial Act was the last men in England who wish passed. Oh, no! Let others have to encourage real poaching. But, the estates, unless these laws be there is a wide difference between changed. When I talk of " Equiwishing to encourage poaching table Adjustment" it is always and wishing to see in existence coupled with the condition, that laws that fill the gaols and hulks there shall be a reform of the and not unfrequently furnish the Commons' Louse, and, assuredly, gallows, under the pretext of pre- such reform would not fail to proserving the game. Upon the pre- duce a total abolition of all the senting of the petition, Lord PAL- game laws passed since the date MERSTON rose, and said, that the of the Borough Act, commonly men, hanged at Winchester, were called the Septennial Act. These not hanged for poaching, but, one laws now supply the gaols and

of their inmates! No trifling mat- will be surprised at the erroneouster, therefore, is this. Mr. CAN- ness of the former; but, it would NING (at the time when proof of be unjust towards the gentlemen seat-selling was offered) said, it was time " to make a stand against observe, that they labour under democratical encroachment." It is now, I think, time to make a stand against Norman encroachment, when about a third part of the inmates of gaols are sent thither for offences against the laws made to preserve the game .-Every thing, therefore, which relates to this matter, is, just at this moment, of peculiar importance. I shall inse the report of the proceedings in Parliament when my petition was presented. The petition does, indeed, speak for itself; but, great mistakes were made in giving a report of what took place in Parliament upon this occasion. All the newspapers contained very erroneous reports, even of the allegations and prayer of the petition. Something very interesting took place; and therefore, I think it right, not because the petition was from me; but on account of the great importance of the subject, to insert, from the Old Times newspaper (which gave the fullest account of what took place) a report of the proceedings in this case. The reader, when he com- ing; and of these 22, there had

bridewells with nearly a third part | pares the report with the petition, who write these reports, not to great disadvantages; and that, if they have not some previous knowledge of the subject, it is next to impossible for them in a case like this to be correct. I will first insert this report; and then proceed to make some remarks upon it.

> Mr. BROUGHAM presented a petition from a writer of eminent talents, respecting the game laws, which contained statements, as he thought, deserving the gravest consideration of the House. It was signed by Wm. Cobbett, and it prayed that as there was a motion for bringing in a bill for the alteration of the game laws, the House would be graciously pleased to pause before passing an act which, as the petitioner had been in-formed, was likely to go to legalize the sale of game by lords of manors, and other privileged persons to be designated in the act. It prayed that the House would weigh well and consider the state of the laws, and the severe hardships which were inflicted on the community at present by their operation, which were greater than ever was known in any other country, or at any other period in this country; and that the House might the better judge, the petitioner offered to their consideration the following most alarming facts. The calendar for the ensuing quarter sessions in the county of Berks, contained the names of 77 persons now in Bridewell. Of these 22, were for poach

been nine committed by clergymen | (Mr. Brougham) had been given by acting as magistrates in that county. The petition stated further, that in general poaching was punished with greater severity than offences punishable with death. In one sessions, an utterer of false silver coin had been punished with 12 months' imprisonment, a housebreaker with 24 months' imprisonment, and a poacher with 24 months' imprisonment, and hard labour. Such were the statements of the petition, for which he did not pledge his own responsibility, but yet he thought that they demanded serious consideration, and the case was altogether grave enough without any aggravation. The petition went on to state, that of 22 persons convicted in the county of Hants, 16 were for poaching and offences against the game laws, and the only persons who suffered death from among this number were two young men who had resisted gamekeepers. petitioner, therefore, prayed the House to consider well before they passed the bill into a law, which was to give a property in wild animals to the lords of manors and others, which could only be done by oppressions, great in suffering and humiliation to the people at large, and by compelling the country to submit to grievances for the protection of this new property, which, in regard to the power of those who made the laws, and the abjectness of those who were called on to obey them, would be without any parallel in any country west of Constantinople. These were the remarks and statements of a man of sufficient powers of observation and understanding to make them worthy of attention. And certainly, of all men in the world, Mr. Cobbett was not one likely to treat with leniency this offence of poaching. which took men from their lawful industry, and caused them to waste their time and destroy their morals in forbidden courses: for, as he

others to understand, no one act, among all those most objectionable laws upon the subject contained in the statute book, had half, no, not the hundreth part of the efficacy in deterring men from poaching. This he felt to be due to a man for whom, in other respects, he could not be supposed to have the most friendly feeling.

Lord PALMERSTON said, that the two young men in question were executed, not for poaching, but for murder. One of them had killed a gamekeeper who was in the lawful exercise of his duty-the other had levelled his piece at another gamekeeper, who received the contents in his body, but, from proper treatment, recovered. He was able to speak with certainty upon the characters of the young men, as they were servants of his, and he must say a more cruel and deliberate outrage had never been committed.

Mr. Brougham said, that he need not, as he did not, deny the statement of the noble lord, and yet it would rather go to support the reasoning of Mr. Cobbett. It was not even necessary for him to palliate the offences of the two young men: for the question was, How came they to kill the gamekeepers? and then the answer might be, in consequence of the state of the law. That was the very argument he had used before the Court on the trial of twenty-one persons the other day, charged with murder on the high seas, and it prevailed, too, with the Jury: for the men were killed in consequence of that most abominable law which enabled revenue cruisers to fire shotted guns upon the ships of any nation within two leagues of the British coast.

Mr. J. BENETT admitted that the two young men had suffered death very properly in Hampshire. Still he thought that the state of the law demanded reformation: the offences of the country might be considered as results from the severity of the game laws. Offenders were gradually trained from poaching to shoplifting, and then to housebreaking, and occasionally murder.

Sir T. Baring corroborated the statement in Mr. Cobbett's petition. Half the offenders in Hampshire were committed for poaching.

The petition was ordered to be

printed.

You will perceive that the statement here put into the mouth of Mr. BROUGHAM is wholly incorrect. The main thing, however, on which I wish to remark, is, what was said, or rather the matter spoken upon, by Lord Palmerston. The report confounds the County of Berks with the County of Hants. It makes Mr. Brougham say, that out of twenty-two persons convicted in Hampshire, sixteen were for poaching and for other offences against the game laws. As you have the petition before you, it is useless to dwell any further upon these errors; but, it was this mention of the sixteen persons in Hampshire, which brought Lord Palmerston upon his legs. You will remember, perhaps, that I told some friends in Hampshire, last fall, that the hanging of Tur-NER and SMITH was a thing not to be presently forgotten; and that it was our duty to do our best to prevent occurrences of this sort

My petition, therefore, in speak-

ing of the scale of punishments for different offences, reminds the House of Commons that Judge Burrough condemned, at Winchester, last spring, sixteen persons to suffer death; but that he left but two to be actually put to death, and that those two had resisted gamekeepers. Now, then, what says Lord Palmerston? The report which I have here given cannot be correct. It is impossible that Lord Palmerston should have said all that is here ascribed to him; for, he is here made to say, that the two young men were his servants; whereas, neither of the men were his servants, and only one of the gamekeepers belonged to him. It is pretty certain, however, that Lord Palmerston must have said something tending to question the truth of the allegations of the petition; for, Mr. Brougham, in reply to him, said that he did not deny his statement; and, that it would rather go to support the reasoning of the petitioner. In fact it is very evident that Lord Palmerston wished to defend the putting of the two men to death at Winchester. It is curious enough to observe, that the petition did not censure this act in the judge: it merely stated the fact; it merely laid the melan-

choly truth before the House; | " aged 28, for aiding and assistand a fact it was quite enough to attract very serious attention. Sixteen persons had been condemned to death at one assizes; and of those sixteen only two were actually put to death; and those two had resisted gamekeepers. Lord Palmerston, upon hearing this statement made to the House, rises up and says, that the men so put to death were put to death for murder, and not for poaching The petition did not say that they were put to death for poaching, but it said that they were the only two persons put to death, and that they had resisted gamekeepers. Whether the petition laid too much stress on the circumstance of resisting gamekeepers, the public will judge when they read an account from the Hampshire newspaper, of what the judge said when the jury recommended TURNER and SMITH to mercy. The report was as follows :- "HAMPSHIRE.-The "Lent Assizes for this county " concluded on Saturday morn-" ing. The Criminal Calendar " contained 58 prisoners for trial, " 16 of whom have been sen-" tenced to suffer death, but two " only of that number (poachers) " were left by the Judges for "execution, viz. James Turner, have heard talk; and, indeed, have

" ing in killing Robert Baker, " gamekeeper to Thomas Asheton " Smith, Esq. in the parish of " South Tidworth, and Charles " Smith, aged 27, for having wil-" fully and maliciously shot at "Robert Snellgrove, assistant " gamekeeper to Lord Palmer-" ston, at Broadlands, in the " parish of Romsey, with intent " to do him grievous bodily harm. " The Judge, (Burrough) ob-" served, it became necessary to " these cases, that the extreme " sentence of the law should be " inflicted, to deter others, as re-" sistence to gamekeepers was " now arrived at an alarming " height, and many lives had

Thus, then, the men were put to death because they had resisted gamekeepers. It was necessary, the judge said, that the extreme sentence of the law should he inflicted, as resistance to gamekeepers was now arrived at an alarming height. Lord Palmerston says that the punishment was inflicted for murder. Now, I do not make him answerable for the precise words; and besides, he is made to explain afterwards, and to say, that, in one of the cases, there was not even a killing. We

" been lost."

read of " killing no murder;" but hangs him; hangs the shooter; but, we have not yet come, except we it does not make him a murderer. have it in Ellenborough's Act, to After all, it comes to this, that murder no killing. One of the Robert Baker would not have been gamekeepers, we see, was killed, killed, Robert Snellgrove would but he was not murdered. It is not have been shot, and James very true, that Ellenborough's Act | Turner and Charles Smith, would makes it death to kill a game- not have been hanged, if it had keeper in the night, under circum- not been for that Act of Parliastances such as here existed; but, ment, which was passed about it does not make it murder. The seven years ago, authorizing gamegamekeeper is the assailing party. The poacher, as he is called, is engaged in hunting by night. This defending himself against the attack. How, then, can this be murder? Lord Palmerston is made to call it a most cruel and deliberate outrage. What deliberation could there be in a case like this. It is Lord Palmerston. a fight, between a gamekeeper and a hunter, and, perhaps, a hunter actually in want of food. The one is in pursuit of something to eat. The other comes to arrest him in his pursuit and to seize him, in order that he may have him transported. Now there is very good law for hanging such a hun- However, this wish did, in the end, ter, if he kill the gamekeeper; but that killing is not murder. Then, as to Robert Snellgrove, the assistant gamekeeper of this Lord death for such a cause. The jury Palmerston, he was only shot at. strongly recommended to mercy. His master is reported to have But, you see, resistance to gamesaid, that the contents of the piece keepers; this was the thing not to he recovered. Ellenborough's Act and why? Because, it was neces-

keepers and others to seize persons is the act of parliament; this act as aided and abetted by the act of Ellenborough; these are the things of which my petition complains: in that part of it referred to by

Thomas Asheton Smith, of Tidworth, and Lord Palmerston, of Broadlands, wished to have a parcel of wild animals to themselves. This wish was contrary to that law of nature, to which Parson Malthus wishes to leave the labourer when he falls into a state of distress. cause these two young men to be put to death; and what I contend for is, that men ought not to be put to were lodged in his body; but that be overlooked; blood must flow;

sary to deter others from resisting sion before last, that there were gamekeepers. Lord Palmerston says that the gamekeeper was in the lawful exercise of his duty. Yes, and so it appears were the Manchester Yeomanry Cavalry on the 16th of August 1819. All lawful enough; and for this very reason it is, that I pray the House to repeal those terrible laws, relating to the game, which were never known in England till the reign of the late King. Mr. J. Benett of Wiltshire, while he acknowledged that most of the offences of the country might be considered as results from the severity of the game laws. "Admitted that the two young men had suffered death very properly in Hampshire." Why, so Lord Palmerston seems to think; and, that the Judge Burrough thought so is clear enough. The jury, however, recommended these young men to mercy; and there will certainly be some people to think that the feelings and opinions of twelve men were as good as the feelings and opinions of one man. Sir Thomas Baring, who is himself a justice of the peace in Hampshire, made a very import- place where he was speaking; but, ant observation; namely, that one- this he could not have said; behalf of the persons committed in cause, he does not know how to Hampshire were committed for talk nonsense. What he did say, poaching. We heard, the Ses- however, I take to have been this:

eighty men at one time in Thetford gaol for poaching; but, Mr. GAFFER GOOCH, having made inquiry into the matter, had the satisfaction to inform the House of Commons, that there were only forty men in that one gaol imprisoned for poaching! High time it is, therefore, to make a stand against this species of encroachment. You, Sir, have done your part; and, in the presenting of this petition, I have endeavoured to do mine. At the close of the above reported speech of Mr. Brougham, you will find something quite unintelligible to you. Mr. Brougham is made to say, that I was not a person likely to encourage men to quit their industry, to waste their time in poaching. Then he is made to say, that none of the game laws had had a hundredth part of the efficacy in deterring men from poach-

Here the sentence ends, with-What Mr. out any sense. Brougham really did say it is impossible for me to know, I being thirty miles distant from the

of my opinions as to other matters, upon this subject I merit attention, seeing, that I had done, as he understood, more towards dissuading the labouring classes from wasting their time and strength in poaching; that I had done more in this way than any body else; and that these efforts of mine were likely to be more efficacious than all the penal statutes put together. Mr. Brougham alluded to two or three passages in my little Book called " Cottage Economy," where, certainly, I endeavour to discourage the practice that is denominated poaching. Ninety-nine times out of a hundred it produces great injury to the parties. For there to be game. there must be some restraints, relative to the killing of it. There are the restraints, with regard to the season of killing, even in the United States of America. These restraints are to be imposed only. by law. To transgress these laws is denominated poaching; but, in this case, as in all others, if the law be too severe, it defeats its own purpose; and, we know this little did I think that the thing was of a certainty, that the present ter- going to be proved; and that, too, rible laws were wholly unknown in before a Committee of the House England until of late years; and of Commons itself. Before I proyet we know that there was always ceed any further I will insert this game enough in England. The Report. You will bear in mind,

that, whatever might be the worth | punishments provided under the old laws were quite heavy enough. The present punishments set one part of the community against the other; make the inferiors hate the superiors; and, they contribute largely in the work of preparing for that dreadful catastrophe which the strange mixture of obstinacy and pusillanimity in the landlords seems to be preparing for the country. If a proof were still wanting of the infatuation of this class of men, the project, mentioned in my Register of the 24th of April, would, surely, be sufficient. I there noticed the Bill, that some of them were about to propose, for giving them a monopoly of the sale of game. This Bill is now before the House of Commons; and I now come to the Report of the Committee, on which Report the Bill is founded.

The Committee assembled and heard witnesses. These witnesses gave them information of the traffic in game that had long been carried on. I suspected before that the Normans sold their game. I even stated this suspicion; but, Committee of the House of Commons; read it with attention; and you will see what sort of stuff the high blooded Normans are made of.

Report from the Select Committee on the Laws relating to Game.

1. The Select Committee appointed to take into consideration the Laws relating to Game, and to report their Observations thereupon to the House; and who were empowered to report the Minutes of Evidence taken before them ;-Have, pursuant to the order of the House, examined the matters referred to them, and have agreed upon the following Report :-

2. Your Committee, in considering the subject referred to them, have turned their attention principally to those laws which relate to the purchase and sale of Game, conceiving that the morals of the lower classes of the community were most materially affected by their operation; and they have ascertained, by evidence, points which appeared to them essential to be inquired into, with a view of shewing how far the enactments at present existing, respecting the purchase and sale of Game, effect the purposes for which they were made.

3. The evidence which has been taken, and which refers, for the most part, to the supply of the me-

or set at defiance.

that it is a Report, coming from a Game sold by them, amounting, on account of the risk, to double of that which they receive upon the

sale of poultry.

6. Thirdly.—That this sale is also carried on by other persons, such as higglers, wagoners, coachmen, guards, and porters, at the several inns where coaches and

wagons, &c. put up.

7. Fourthly.—That the Game is, in some instances, delivered by the poachers principally to this latter description of dealers, by absolute sale, or upon commission; in others, it is collected by persons who send it up together with poultry; and lastly, is sometimes received from owners of manors and landed proprietors who are in the habit of sending their Game, either to salesmen or others, for the purpose of sale.

8. Fifthly.-That the markets, by these means, appear to be constantly and abundantly supplied; and that, in consequence of the illegal mode in which it is obtained, it is impossible to regulate the supply by the demand; that large quantities of Game are therefore some-times wasted, and even thrown

away.

9. Sixthly.—That the demand; during the season, is constant; and that the practice of purchasing Game is not confined to any one class of the community, but is habitual to persons of every class who have not the means of being sufficiently supplied with that article from their own manors or land; and in consequence a breach of these particular laws appears not to be con-

tropolis with Game, establishes, in the opinion of your Committee, the following facts:

1. First.—That the laws which prohibit the sale of Game, are constantly and systematically evaded, of Game: and that although in 5. Secondly.—That the trade in the possession of Game, dispose of it by Game is carried on to a great ex-tent, by respectable salesmen, who market is in the hands of the poachers, receive a sommission upon the who are, by this nearly exclusive

trade, encouraged in the greatest those now engaged in it, are of a

depredations.

11. Your Committee, therefore, cannot but recommend the repeal of the Laws relative to the purchase and sale of Game; and that an Act should be passed, permitting persons qualified to kill Game in virtue of real property, and who may therefore be supposed to be in a situation to have a legal means of obtaining it, to sell it to such persons as shall be duly licensed to retail Game, for the use of the public, under certain regulations and restrictions. This. your Committee imagine, would have the effect of reducing the retailers to purchase only from such persons as are so qualified; and, for their own interest, they would assist in putting a stop to an illegal

sale of Game by the poacher.
12. In case the House should agree with your Committee, in the propriety of making the proposed alteration, it is evident that Game, becoming thereby an article which may be legally sold, will acquire a real value; and that those who have the means, should be encouraged to supply the market with it, and have a fair claim to any additional protection which it may be capable of receiving, and which may be compatible with

other considerations.

13. In considering this part of the subject, it appears to your Committee, that the present laws do not afford a sufficient summary remedy against the depredations of persons who are in the habit of trespassing upon the lands of others in pursuit of Game; they therefore recommend, in addition to the alteration proposed in the laws as to the purchase and sale of Game, that the present laws, relating to the latter species of offence, should be rendered more summary.

14. Your Committee do not hold out to the House that poaching can, by this or any other mode, be suddenly and entirely put an end to; it being evident that many of

degree to the continuance of their description not likely to be deterred from it by any thing but an absolute impossibility of carrying it on, which the most sanguinary laws would not create. But your Committee must state to the House their conviction, that the purchase and sale of Game, under regulations, will have the effect of decreasing the number of those who are at present concerned, or who might henceforward engage in that practice, which greatly conduces to demoralize the lower orders of society; and that those persons, whose residence upon their property in the country is in all points of view so eminently beneficial, will find in these measures great additional facilities in the preservation of that, which affords them the amusement and recreation to which they are fairly entitled.

15. Your Committee have, in conformity to the opinions here submitted to the House, directed their Chairman to move for leave to bring in a Bill, or Bills, for effecting the several objects herein recommended for the consideration and adoption of the House.

I have numbered the paragraphs, in order to save time in Here is a referring to them. pretty confession to make, that, while about seventeen hundred men have, in the course of the year, been put into gaol for poaching; and while sentences such as those stated in my petition, have been executed upon men called poachers, the game fellows themselves, the owners of manors and landed proprietors, have been in the constant habit of violating the law themselves; and, as mentioned in

meaning of the word poacher ! It comes from the word poche, which is a French word, and means pocket or bag. Hence comes our word pouch, which is a corruption from the French word poche. Now, a poacher is a poucher, or pocketer; and of all the poachers that ever poached, were there ever poachers equal to those owners of hanged in the country. If a labouring man be taken before a justice for killing game, he is called ruffian, villain, marauder, hardened wretch; but here are the Normans themselves sending up game by cart-loads to salesmen in the markets!

Pray look at the statement in paragraph nine, where the Committee state, that a breach of these particular laws appeas not to be considered as any moral offence whatever; and then look at paragraph fourteen, where the Comsociety. Who the Committee may

paragraph seven, regularly send-| happen to deem "lower orders" ing their game to market, either I shall not take upon me to say. to salesmen or others. In short, I, for my part, deem those the it appears that they have been the very lowest of all orders that God great poachers; for, what is the ever suffered to exist: those wretched reptiles, who send game to be sold in the markets in London; who pretend to call themselves gentlemen; who affect to have a superior sort of blood running in their veins; who send the game out of their covers to feed upon their neighbours; who thus steal the food wherewith to feed the game, and who then send that game to manors and other landed property London and turn it into-money. who have been sending game to These are the lowest, the basest be sold in London, while men like wretches that I have any know-Turner and Smith have been ledge of. To be sure the vile dogs have little property, and most of them have little property left; and something they must do to get money. The fellows must eat and drink as well as other men. I do not blame them for selling game to the jews and jobbers, in order to get something to buy them clothes and to help to pay the interest of the money that they have borrowed on their estates. You and I know a greedy Norman, who killed, last season, fifteen hundred hares. have sold them, to be sure. They mittee say that poaching tends to might have "netted" him twice demoralize the "lower orders" of fifteen hundred shillings; or 150 pounds. No bad poaching for the

for his clothes; though, perhaps, not appear to me that this is the he would be in no very great hurry fact. One poulterer, being asked in giving it to his tailor. But it is whether he sold game, he said the hypocrisy of these wretched Yes; that he got some in Leadenhall vagabonds; their low, their vile Market; that he got some directly hypocrisy, it is, that is most offen- from gentlemen. The proportionsive. They are afraid of demoralizing the labourers. This is what you hear from them all over the country. They are afraid that the killing of a hare, or the netting now and then of a covey of partridges, will take all morality and religion away from the labourers. They are afraid, that the habit of violating the law will make these labourers wicked, and totally destitute of all virtue. But, at the same time, they themselves can violate these laws; and the Committee can tell you, that a breach of these particular laws appears not to be considered as any moral offence whatever.

The Committee next proceed, in paragraph 10, to propose their remedy for these evils. They say that the great supply of the market is in the hands of the poachers. They acknowledge that in some instances, persons legally in possession of game dispose of it by sale. But still they say, that the poachers carry on the principal part of the business, and have nearly the exclusive trade. Now,

Norman. It would help to pay from reading the evidence, it does ate quantity is not stated. poulterers that came before the Committee, all proved that this game selling, by the scoundrels whom they called gentlemen, was and is common. I should observe, that the poulterers call themselves gentlemen, too; and you see that the Committee calls the salesmen who sell the game at Leadenhall Market, "respectable" persons; in the way of contrast with others, such as coachmen, guards, higglers, and the like. It appears that, at one time, there was a resolution among the poulterers, not to sell game. The following extract is curious, and worth the attention of all the farmers in the country. It is a Westminster poulterer, mind, who is the witness.

" Was not there a resolution of " the poulterers not to sell game? " -I was secretary to that com-" mittee.

"What was the consequence of " that resolution ?- A great deal " of ill-blood in the trade; one gentleman who just left the room, did not come into my " ideas. I never had a head of " game in my house; all my neigh-bours sold it, and as we had " people on the watch, who were

" ready to watch it into the houses. " it came to this, we were prepared " to bring our actions against cer-" tain individuals, after sitting, " perhaps, from three to four " months every week, which we did at the Crown and Anchor in " the Strand; but we did not pro-" ceed with our actions, to prevent " ill-blood in the trade; we regu-" larly met, and, as we conceived " at the time, formed a committee " of the most respectable of the " trade: I was secretary of that " committee; the game was sold " in the city in the vicinity of the " Royal Exchange cheaper than " ever was known, because the " people at our end of the town 64. were afraid; I, as a point of " honour, never had it in my house; " I never had a head of game in " my house that season. What " was the consequeuce; I lost my " trade and gave offence to gentle-" men; a nobleman's steward, or " butler or cook, treated it as con-" tumely; 'Good God, what is " the use of your running your " head against the wall."

"You were obliged to begin " your trade again?-Yes, and " sold more than ever."

And this, you will perceive, has been going on for years and years, while there has been such an imprisoning, such a transporting, and such a hanging going on all over the country. No question now, that the main object in preserving the game has been to sell it; that the main object in getting hares to feed on other mens' ground, has been to sell the hares and pocket the money. No doubt now of the object of all the laws that have been passed, for what is called preserving the means of amusement and recreation to the country gentlemen. This Committee, in

siding upon their property, the amusement and recreation to which they are fairly entitled. Yes, very fairly entitled; but not entitled, very fairly, to prevent you, for instance, from having amusement and recreation on the spot on which you reside, and which you cultivate; not very fairly entitled to punish you for coursing the hares which you feed; not very fairly entitled to make the whole community pay county rates and poor rates, for the purpose of preserving that which is to afford them amusement and recreation. But, the pretence, as to the main part of them, is now proved to be It is not amusement and recreation that they want. It is the money that they want. It is the half-crowns for the hares, and the crowns for the braces of phea-They are nothing but sants. poulterers and higglers of another description; and well have I described their conduct in my petition: truly have I said, that, to the insolence of feudal pride they add the meanness of the huckster's shop.

Nothing can be an apology for game laws of any description, except the necessity of such laws, to secure the existence of any game at all. The game laws were carried to an extent quite sufficient before the late King's reign; but that reign, which hardened every thing; which made all the laws more severe than they were before; which saw passed more penal statutes than ever were passed in England, from the time that the country began to be called England, to the day when the late King ascended the throne; that paragraph fourteen, talk about the reign, which trenched more upon game as affording, to persons re- the liberties of Englishmen than all the reigns that ever preceded an artful and greedy OLD MAN. it; that reign made dreadful progress in hardening the game laws; and now we have a Committee of the House of Commons to tell us that all these laws have been totally inefficacious; and that they have been constantly set at defiance in every year during the whole of the season for the killing

of game.

Under these circumstances, and with about seventeen hundred men in gaol, who would not imagine that somebody would propose to do away with these transporting and hanging laws; or, at least, to make some alterations in them, having a tendency to empty the gaols. The great evil now is, that the gaols are full of prisoners from this cause; that here are families ruined continually from the same cause; that the poachers and their families cannot amount to less than ten thousand people. Another ten thousand people are to be affected in the same way next year. Ill-will, heart-burnings, hatred, mischief, are to exist throughout the whole country, rather than give up, not any antient right, not any fendal claim; no, but that, which has been seized from the people by statutes passed in the reign of George the Third. Here is no antiquated claim. Here is nothing that has the hoar of age about it. Here are acts of Parliament brought in by Addington, Law, Perceval, and the like of increase of commerce; the docks, them; and never have I perceived, that that great friend of rather upon the decline; but, the humanity, Wilberforce, and that buildings round the WEN; the great softener of the criminal code, new houses; the little palaces, Mackintosh, have ever uttered a for the jews and jobbers, are insingle breath against these ter- creasing in multitudes in every rible laws. I have heard talk of direction. In former years, the

who was, for the greater part of his lifetime, " begging with one " hand and banking with the " other hand;" and we, of this country, exhibit the ridiculous spectacle of a people, expending a thousand millions of taxes, and contracting a thousand millions of debt, to prevent the French from making a change in our constitution, while those, through whose hands we sent the money, were making such changes in that constitution, that, long before the struggle was over; long before we had done paying in its defence, no man living would have taken it for the same constitution:

It is impossible to look at this Report, and at the evidence subjoined to it, without being struck with the manner in which the debt is working the Normans. It appears clearly that nine-tenths of the game is brought up to the WEN. In various of my Registers I have shown the manner in which the WEN is sucking up the resources of the kingdom at large, and particularly of the agricultural part of it. I have shown, that the increase of population here produces a decrease of population in the country. have shown that the landlord's rent, the farmer's capital, the labourer's dinner, are all sucked up, in great part, by the WEN. is now time of peace; there is no and every thing of that sort, are

number of new houses going on coat and brass-button gentleman, has been about three or four thou-There are now building nearer ten thousand new houses than three. This must come out in need of the game for himself, of the land. This fact is quite enough for any man of sense, this is quite enough to convince him that the Babel must come down.

In a state of things like this; when the far greater part of the rents are now actually received by people living in the WEN; and when the wretched labourers in the country are nearly upon the point of starvation for the want of employment and pay, how can it be otherwise than that the game will come to the WEN? The man that has the rent will have the game, to be sure. It is not for the wretched coward, who has a blue coat with brass-coloured buttons, and who calls himself a country gentleman; it is not for this wretched coward, while he is paying the jew three for one; it is not for this creature to talk of having sports of the field; to talk of his amusement and recreation! He is nothing more than the steward or bailiff of the big-nosed and round-eyed race of the WEN; and, as he tamely sends them up his rents, why does their getting the game ! It is curious to observe how this thing and takes such a dip into the farmer's capital, that the landlord and the farmer between them, half-starvation. This state of half- is a pocketer; and to a certainty of getting some game to sell. Just who basely made a traffic of these at this time, however, the blue objects of sport. It is the pocketer;

with his neat top-boots and his ash stick in his hand; just at this very time this gentleman stands not to eat, but to bring him a little ready money. He wants to be selling to the jew at the very time that the labourer is selling to him. Both are urged on by their wants. Both are committing offences against the law. The distress of both arises from the same cause; and through the same means, and to the same quarter they are applying for relief. These too parties, so naturally bound to each other by so many ties. These two parties, harmony between whom is necessary to prevent the country village from being a sort of hell, are engaged in a desperate struggle, detesting each other, and loading each other with the bitterest execration, merely from their rivalship as caterers to the rascally jews.

To this state is the game concern come. All the high notions about sporting are gone. We have nothing to do but to look at the evidence given before this Committee, to be convinced of the fallen state of the game laws. Even the Report itself calls a saleshe pretend to make a fuss about man of game a respectable person. This wholesale, this audacious violater of the law; this vilest deworks. In the first place, the jew scription of poachers, is called by gets so large a part of the rents, a Committee of the House of Com-and takes such a dip into the far-mons a respectable person. The mons a respectable person. man who kills a head of game, either in sport, or for his own eatreduce the labourer to a state of ing, is not a poacher. A poacher starvation urges the labourer to the term became a term of opproventure even his neck for the sake brium because there were men

the pocketer of the money; these here were two men, hanged upon are the real and only poachers; a gallows: they had been recomand the object of the proposed law, mended to mercy by the jury who is, to make the game-preservers tried them; but the judge said, the only poachers in the kingdom. that it was necessary that the ex-It has been proved before this treme sentence of the law should Committee, that some of these are be inflicted to deter others from amongst the greatest poachers in resisting gamekeepers. the kingdom; but it is now proposed to authorize the whole of upon me that made me resolve to them to be poachers, and to prevent their traffic from being shared in by any body else.

Hitherto, laws of this sort have been passed so quietly; so snugly; they have made so little noise; and there has been so little disposition in any body to make any remark upon them in public; this has so long been the case, that some people actually began to think that any law might pass without any opposition whatever, provided it affected nobody having a seat or influenced with regard to a seat in Parliament. In the present instance, however, let what may be done, it will not be done so snugly. The putting to death of the two poor young men at Winchester. All the circumstances of that putting to death. The person of the judge; the person of the masters of the gamekeepers; the number of persons condemned to death at that assizes; the selection of the two to be actually put to death: these together with some other circumstances which I heard heard stated in the country, and which I hope yet to see stated in other form and manner, than those in which I beard them stated: all these circumstances made great impression upon me. I never SMITH. I knew, indeed, some-thing of the other parties; but, "buying of persons not permitted by "law to sell!--Certainly not; a great knew any thing of Turner or of

circumstances made an impression make, as far as I was able, a stand against these encroaching game laws. I suspected, then, that the game-preservers were the great violators of the law. I did not suspect, particularly, Thomas Asheton Smith, and Lord Palmerston; and I do not pretend to say or to insinuate that they ever sold game; but the evidence taken before the Committee proves that owners of manors and lands have very long been in the habit of selling game; of sending it up to the WEN to be sold by "respect-" able" salesmen; and I beg you to observe, that, though Thomas Asheton Smith and Lord Palmerston may never have sold any game in their lives, the fate of poor Turner and Charles Smith would not have been otherwise than that which it was if these two owners of manors had been sellers of game. Let us suppose, now, that they had been game-sellers, such as those mentioned in the evidence taken by the Committee; and let us take one more passage from this evidence. It is a poulterer, you will observe, who is speaking.

"Supposing you were permitted to sell game under licences, and " were subject to heavy penalties "for purchasing of persons not "qualified to sell it, do you think " game ; I have had it from gen-

" And you think you could be " supplied further than you are in " that way !- Tenfold beyond what " we want,

" Do you mean as the law now " stands ?- If the law allowed it.

"You do not think a person in

" your trade could find any advan-" tage from buying it illegally, if a "legal mode of obtaining it was " found out ?- Most certainly not. "Would any larger profit ac-" crue to you from buying it ille-"gally, than would accrue from " buying it legally ?-No, not by " any means; and I would pledge " my existence to do the thing honour-" ably; and, as it is, I have no ad-" vantage in buying of those men " now; but, if it were allowed to " be sold, I am positively certain " all the respectable part of the trade "would pledge themselves not to

" buy of any persons but those an-" thorized to sell to us.

"Could they be undersold in the " market by less respectable peo-"ple ?-In regard to that, it is a "thing that will take some little "time to find its level. Mankind " have certain faults, all those faults " will not be left off at once; mon who " have been in the habit of poach-" ing, and of getting a little dou-"cear by bringing game to Lon-"don, will not be checked until "they have been made to feel the " effect of the law; it is very likely " game may find its way to London " for a certain time, but, when they " find that they cannot procure a "respectable market, and they are "under an alarm about bringing it to London, I believe that the " game will rest quietly, and that " poaching will be done away.

"You think that the gentlemen " would undersell the poachers?-"We would pledge ourselves to buy " only of them; they can undersell the ponchers if they please.

"Would the poulterers and the

" many gentlemen are willing to sell " respectable part of the trade find it " their interest to detect all others "who were not so licensed ?- I " think so."

> So, here we have a poulterer, who, it appears, is something like the father of the project. Observe how he philosophizes. Mankind, he says, have certain faults; and he sagely adds, that they will not be left off all at once. His philosophy will appear to have been verified by the practice of this philosopher himself. seems not to have been in a great hurry to leave off his faults. However, he tells us here, that a great many gentlemen are willing to sell game; and that the poulterers could be supplied in that way beyond what they want. Observe how well prepared the mind of this philosopher appears to have been! He sees at once all the beauties of the project for making the " gentlemen" the sellers of game. He sees all the beauties of the monopoly by which the top-boot gentlemen would have the exclusive privilege of and he supplying the jews; pledges himself and the respectable part of the trade along with him, to "do the thing honour-ably," and even to "try to de-tect" all others who are not licensed to buy of the gentry. Here is a pretty scene! A poulterer talking of his honour in the same breath that he talks of being a sort of apy upon his brother poulterers; and in the same breath that he acknowledges that he is and long has been in the habit, in the regular and constant habit, of violating those laws, for the slightest intringement on which the labourers in the country are so severely punished! For my part,

of propriety, the being upon a Committee like this, and suffering a witness like this to escape unreproved. I do not recollect any Committee, or any judges of any description sitting quietly and hearing a witness go on in this sort of way. He talks continually of his violations of the law. He nevertheless is permitted to talk of his honour, of his respectability; and, in short, he is suffered to philosophize and suggest; and, to our astonishment we find, the suggestions of his philosophy become serious propositions and the ground-work of a law, which some wish for, at any rate.

However, the thing that I wish you to keep in mind is this: here we have the proof that a great many gentlemen are willing to sell game; and that this honourable poulterer (whose name bythe-by is not given to us), we have the proof that this honourable And what do they apprehend them poulterer has himself had game for? In order that they may be from "gentlemen." Now then, if Lord Palmerston and Thomas Asheton Smith had been gamesellers; mind, I do not say that they are; but, some of the owners of manors and lands have been; and if these two men, Palmerston and Smith, had been game-sellers, what a pretty thing to contemplate! Here, on the one hand, we should have seen two men hanging on the gallows, for killing one gamekeeper and shooting at another, which gamekeepers would (if their masters had been gamesellers) have been engaged in procuring the means wherewith for their masters to commit most daring violations of the law! If any stretch of power; if any perversion of legislative or political

I cannot reconcile to my notions authority, ever produced any thing more outrageous than this, more insulting to the best feelings of mankind, I request the supporters of the game laws to produce it.

If the game be made saleable according to the project now before the House of Commons, the game-seller, who is a qualified man, will not, indeed, be guilty of a violation of the law. But, mark what is going to be done, if this project take place. Men may be hanged for going near a cover which contains game, or, which is watched by gamekeepers. If gamekeepers attack men, and those men resist; if they resist only by pointing a gun. If they attempt to resist; in short, if they stir hand or foot in the way of resistance, they may be hanged; and hanged for what? For resisting gamekeepers. And what do the gamekeepers seize or attack them for? To apprehend them. punished. And what are they to be punished for ! Because they go to take wild animals. And why should not they take wild animals? Because the gentlemen want them to sell them to the jews!

That is the close. To that we Men are to be come at last. hanged in order that other men may have the exclusive privilege of selling wild animals and of pocketing the proceeds.

That such a law will pass, is not, I think, to be believed. However, pass or pass not, you have done your duty, and I have endeavoured to do mine, upon this occasion. You have acted like a man of spirit; and, if there were only a few men to act as you have acted, the country would not be in the deplorable and cowed an arrest without a warrant; but down state in which it is. Time. and not a very long time, will give us all we want; but, in the meanwhile, the country would be much more bearable than it now is, if every man would do his duty as you have done yours. The doing of this duty is, however, not a thing which is productive of any eminent degree of peace and quietness, as you have already experienced. Your petition has produced great effect. That effect has been perceived; and to this you have to ascribe, unquestionably, the letter of Mr. POULTER, on which I shall now make some observations, after having inserted the letter itself with your answer at the bottom of it.

SIR,-A Petition having been presented to the House of Commons by Richard Deller, containing, amongst other things with which I had no concern, reflections upon some proceedings at the Winchester Petty Sessions, in which alone I was concerned, I feel myself called upon to vindicate our proceedings there in question by the following report of them, the accuracy of which is ready to be attested by several professional persons who were pre-

Saturday, April 12.-John Grey, having previously laid an information, and obtained a summons against Richard Deller, for an assault, before Mr. Nevill, came to the Petty Sessions, at Winchester, followed by Richard Deller, which information was regularly proceeded in before myself (Chairman), and Messrs. Nevill and Wright. The assault was proved to be of a gross kind. It was attempted to be defended under 1st Geo. IV. c. 56, which allows, in certain cases of wilful or malicious trespass,

which defence was adjudged inapplicable to this case of assault and battery, beyond what was in any degree necessary for arrest. Accordingly Deller was unanimously bound over for trial at the Quarter Sessions, on his own re-

cognizance only in 201.

Deller then laid his information against John Grey, under 1st Geo. IV. c. 56. for a wilful or malicious trespass, before the same Magistrates, except Mr. Nevill, who had left the Court; which was fully heard, when I was clearly of opinion that the case did not come within the Act, and therefore proposed an acquittal; but as Mr. Wright had doubts of an acquittal, on which he wished to have Counsel's opinion, though under such difference between two Magistrates the decision ought properly to be in favour of the defendant, I, partly out of respect to Mr. Wright, and partly out of forbearance towards Deller, consented that the judgment should be adjourned for that purpose to the next Petty Sessions, on the 19th instant, At this Petty Sessions, which being also an Adjourned Sessions, many more Magistrates attended, when the case being recited, and the opinion of Counsel taken by Mr. Wright, advising an acquittal, which also another Counsel's opinion taken by myself advised, all the other Magistrates agreed with Mr. Wright and myself, unanimously in acquitting the defendant

I must observe, in answer to other parts of the epetition, that Deller attended but once before me, and that on a market-day, when he was otherwise used to attend; and that no Game case came before me at all there, or elsewhere, concerning him; so far therefore from my being at all implicated in any charge of oppression or injustice towards him, I used the utmost forbearance and even fa-

your towards him, in adjourning | umphantly alluded to by Mr. Poulthis judgment. I have only to add, that I trust I have thus, satisfactorily to the public, vindicated the conduct of the Magistrates acting at Winchester on this occasion; and think I have cause to complain, that the constitutional right of petition, the due use of which I hope will be always highly upholden, has been grossly abused in this instance, by being made the vehicle of licensed slander against me, which no opportunity may ever offer of answering, as Parliamentary protection prevents legal prosecution, to which, in all other cases, persons aggrieved may resort, in vindication of their character and conduct.

I am, &c. E. POULTER.

Sir,-Mr. Poulter having resorted to your paper, to justify the acquittal of John Gray, for trespassing on my lands, and binding me over to trial for an assault, in using the means prescribed by the 1st Geo. 1V. I take the liberty, through the same channel, to make a short reply to his letter. As a prosecution has been commenced against me, originally the prosecutor, I shall forbear entering into the merits of the case, until it shall come before a jury of the country; and at present only refer to my petition to the House of Commons, in which I aver that the facts are truly stated, and the public will form their opinion upon the manner in which justice has been dispensed towards me. Having been the first applicant for redress, I ought assuredly to have been first heard, and not my complaint postponed, in order to convert the party accused into an accuser. Whether this was or was not the case, I leave to the judgment of the publie, and the testimony of the great number of respectable persons assembled as auditors, in the Magis-, trate's Chamber, with the exception of the professional persons so tri-

ter, as the supporters of his assertions, who, although very respectable, I submit are not quite unexceptionable witnesses in this case, one of them being solicitor for John Gray, and the other clerk to the magistrates.

I am, &c. R. DELLER. Easton, near Winchester, May 9, 1823.

Mr. POULTER does not deny, any one fact stated in your Petition. Your case is this; you see a person upon your ground; you ask him his name; he will not tell it you; you take him before Wright the Parson, who is also a Justice; the Parson Justice refuses to enter upon the case; he bids you come to Winchester the next day where his clerk is; you go to Winchester; he puts you off till the next day, and tells you to come to the Bench; you there find Poulter and Nevil; they permit the person to swear an assault against you; or, at least, they bind you over to the Quarter Sessions, in spite of your request to be heard first; they then hear your case; they refuse to decide; they put you off till the next Sa-turday. This is your complaint. You complain that Wright did not proceed at once upon the Act of Parliament, "For the summary " punishment of persons wilfully " or maliciously damaging, or " committing trespasses on public " or private property." Poulter says that be does not think that you were warranted in seizing the man; and he says, that he and Wright have both had opinions of counsel, and that both counsel are of opinion that you ought not to have seized the man. Now, in the first place, what have you to do with these counsel! What have you to do with any thing but the

law! The law says, that you are ment, he put you off till the next authorized, without any warrant or other authority than this act, to seize, apprehend, detain, and take before a Justice of the Peace, any person committing any offence against this Act. And what are the offences against this Act! Why, one of them is, wilfully committing any damage: upon land, or other matter or thing growing or being thereon. Is it not impossible to go upon land without doing damage to some extent? You can walk into Poulter's Garden, and round before his house, and hollo out, and talk to him about the living of Berryton, and another living in that neighbourhood, and about his son's being a parson, or any thing else that you have a mind to talk to him about. You might say you did no damage to the land, but would not Poulter have you seized! This trespasser that you apprehended was the servant of your big neighbour, the DOKK; and it was in that light that you were to view him, and, doubtless, did view him. The trespass was quite sufficient to justify your apprehending him, according to this Act of Parliament.

But, if there was no ground for apprehending the man, why did not Wright settle that point at once. This Act was passed for the summary punishment of trespassers. Summary means quick; shortly, without delay! Wright, in order to act up to the spirit of this Act; for quickness, shortness, and speediness' sake, puts you off till next day, and tells you to go to meet him at Winchester on that next day-You had got the man before him, but, for the more summary punish-

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day, and then to meet him at Winchester. Well: but he is surely ready then? No: for quickness, shortness, and speediness' sake, you must come to the Bench next day. At the Bench, to your great surprise, you find yourself the criminal, and the Duke's servant the accuser!

Now, curious as all this matter is, the least curious part of it is not the calling for counsel's opinions. Here is a law made expressly for the summary punishment of offences of this sort; and these justices of the peace must have counsel's opinion before they will decide a case brought before them, under this very act. This is summary work, indeed! You did not get a decision of any sort for nearly a fortnight. Suppose the party siezed to be a stranger; how were you to keep him and take him before Wright the next day at Winchester. The fellow might have been a stranger as well as the servant of a Duke. If Wright had attended to you and heard your case at his own house, there would have been an end of it one way or the other, at any rate; but here are you to wait nearly a fortnight for a summary decision.

I should like to know who is to pay for the counsel's opinion. To. get an opinion from a counsel, there must be a case drawn up. Who is to pay for the drawing of this case, and for the giving of this opinion! If the county be to pay for them, on what authority is it that such expenses are incurred. If opinions can be called for by justices of the peace at their pleasure, they can employ attorneys and counsellors at their pleasure, and at the expense of the county;

which I take to be a very danger- | This must be the case with Poulter, ous power indeed. If every justice in particular, who has the care of the peace can lay out as much as he pleases in law, and that, too, his share of the souls the care of for the purpose of instructing himself in the performance of his duty, where are the bounds to such expenses and to the charges which may thus be thrown upon the county. Poulter complains that he has been slandered in your peti-Slander means false imputation of wrong doing, and Poulter has denied no one part of your statement; but, on the contrary, has confirmed the truth of it. He says, that it was forbearance towards you to adjourn your case. Forbearance! Why, the Act was passed for the express purpose of obtaining summary justice. You called upon him to decide, as you had called upon Wright before. He wanted what the law said he should have, a summary decision: and he did not get a summary decision. He had, according to your own declaration, to wait till both Wright and you had got counsel's opinions. The best defence for asking these opinions would be, it appears to me, that the parsons, having their whole souls absorbed in religious matters, cannot be supposed to understand law; having their minds constantly engaged in the contemplation of Sacred Writ, cannot be expected to enter all at once into the spirit of profane writings such as Acts of Parliament. Now, I must confess, that there is some reason in this. You and I both know quite enough to convince us that these gentlemen might with the greatest propriety plead the necessity of consulting counsel, seeing how constantly their time and attention are de- present, once more thanking you voted to the affairs of the Church. for the part that you have acted,

of the souls in two parishes, and which is committed to the prebendaries of the cathedral at Winchester. Persons so engaged may be excused for not understanding at once a writing like the Act of Parliament in question; but then these gentlemen ought not to be angry with you that you pray the House of Commons "to be " pleased to pass a law to prevent " Ministers of the Church of Eng-" land from becoming Justices of "the Peace." The Rev. Gentlemen ought, surely, to thank you for this effort to take from them the burdensome employment of . administering the laws, and they ought to thank you for an endeayour to leave them entirely to the pursuit of their clerical studies, and to the care of those souls, which they, at their ordination, solemnly declared before God, that they believed themselves called to Surely, it is not watch over. matter of charge against you that you wish these gentlemen to be employed wholly in the salvation of souls. How much more important must it be that they should be at work saving souls than studying Acts of Parliament, which, to say the truth, are not always either the most grammatical or the most godly of compositions. At any rate, if your prayer should be attended to by the House, there will be a great saving of expense in opinions of counsel; and this is an article, which, I should think, must amount to a good deal in the course of a year.

I now dismiss this matter for the

and assuring you of all the assistance that it may be in my power to give you. Let me advise you to be cautious how you proceed; not to suffer indignation, resentment, passion of any sort, to get the better of your reason. Think half a dozen times before you speak or act once. Be quite sure of your mark before you move. Be not in a hurry to carry any point. Do not suffer yourself to be drawn into quarrel by any understrapper. If you observe these things, we shall have some good amusement; for, take my word for it, things must change, and change again and again; and that at every change an advantage must arise to the people at large. I know a great many men with tolerable fortunes, who are at this moment on the wing for America. If a man can do no good here; if he can do nothing towards restoring things, he does well to go and live comfortably where the taxgatherer cannot reach him. He does well to let the debt and the dead-weight be paid by the Normans. I know many men that are acting upon this opinion; and I am far from blaming them; but, if a man can do any thing; if he can do any good by staying here, without sacrificing more than the safety of his family will permit him to sacrifice, then I advise him to stay; advice, however, which I would not give, were I not convinced that a radical change must take place.

433

I am, Sir, Your most obedient, And most humble servant, WM: COBBETT. tro I see street of

colour a met many

STRAW AND PLAT.

THE great number of applications that have been made to me upon this subject induces me to state, that, in the first week of June there will be published an eighth Number of the " Cottage Economy." I shall, in that Number, give, as I said before, full instructions for every thing relating to the turning of grass into straw. I shall publish a Plate with that Number, which will be a great deal larger than the other numbers, and the price of which will, I think, be a Shilling, though, when bound up with the seven other numbers, I intend that it shall make no addition at all to the price of the book, which was written for the benefit of the labouring classes, and the price of which I will not augment on account of any additions that I may make to it. I have before stated the circumstances relating to this matter as connected with the Society of Arts. I have now to inform the public that it is my intention to make a harvesting of grass myself, and, I shall be quite ready to assist any other person to do the same. The time for harvesting the grass, is, I should think, from about the 20th of June to the 20th of July, speaking of the I shall not south of England. only be ready with my published instructions, but shall be happy to give further verbal explanations to any body that may choose to consult me. I already know of half a dozen persons who intend to make a harvesting of grass. When the eighth Number of Cottage Economy comes out, there will little be left to be explained.

ful to state now. grass would, I think, be found to ten or twelve days. The great grow upon what the farmers call benefit of this discovery will be. an old lay, that is to say, a field the uncorrupting employment that which has borne clover and Ben- it will give to young people in the net grass; but from which the country. The solid benefit that clover has disappeared, leaving it will confer upon the country by the Bennet grass thick upon the ground. The Bennet grass, if fine and small, is a very good sort. An old lay will contain many other sorts of grass, and amongst the rest, the crested dog's-tail, which, as far as I can indge at present, is the finest grass of all. The sweet-scented vernal grass is equally fine in point of size, but its colour is not quite so good. The Bennet grass, that common degrees; a heat in which the devil of a thing that covers, absolutely covers a tenth part of all the soil in England that will bear grass of any kind, appears to me to be the grass of which the main part of all the hats and bonnets will be made. This these masses together, had remain grass is called, in Norfolk, white ed unknown. In this straw affair, Throughout Surrey, nonsuch. Sussex, and Hampshire, it is in the cottage. There is nothing called Bennet grass. In other injurious to health; but the conparts of England it is called Ray grass. In other parts it is called darnell grass. It is that grass convinced that it will prove to be which is every where sowed along a most advantageous thing for the with clover. It appears to me country at large, but particularly that this will be the great grass for the country labourers. The for this work; and I intend to harvesting cannot very well begin teach some hundreds of country- before the middle of June, at earwomen how to bleach it this next liest. summer. I have a bunch of the shall be at leisure to speak to any straw now which I made from this one upon the subject. The Numgrass last year, and I defy Italy ber of the Cottage Economy of or America to surpass it. I can- which I have spoken about ought not conceive better amusement to be read first; if any thing further for a lady than going out at sun- is wanted, I can give it verbally, rise in the morning, cutting a bun- and shall be very happy to do it to dle of grass, bringing it home before any one who has a mind to make

But, one thing it may be use-fore dinner, and turning it into a The finest beautiful bonnet in the course of creating money's - worth things without the employment of capital to obtain the raw material, and without drawing the work-people into masses to be corrupted by evil communications. It is impossible to look at the wretches in the cotton factories, working under drivers, like the negroes in the West Indies; working, too, in a heat of from eighty to ninety turkeys begin to droop their wings and to pant for breath. It is impossible to look at the squalled creatures in these scenes of toil and slavery, without wishing, that all the arts which have brought all is in the open field, or trary. There needs no union of hands, and, in short, I am quite After the first of June I breakfast, putting it to bleach be- a harvest of the grass. I repeat my notices relative to this matter, | Note which appears to indicate an in order that people may think about it, and make their preparations in time. As I proceed myself, I shall report progress; but, as I shall, in all probability, have no means of doing this, except through the pages of the Register, 1 must begin in time, as the Register is a sort of a heavy artillery that gets slowly about the country. On the first of June I shall have specimens of the straw and of the plat to be seen by any body at No. 183, Fleet Street.

BOURBON WAR.

Papers laid before Parliament, April 14, 1823.

(Continued from p. 316.)

We disclaim for ourselves, and deny for other Powers, the right of requiring any changes in the internal institutions of Independent States, with the menace of hostile attack in case of refusal. The moderation of such demands, in no degree justifies in our eyes such a mode of enforcing them; and this distinction it is the more important to keep steadily in view, and to im-press upon the French Government, at a moment when, for their sake, and at their desire, we are suggesting to Spain, in a tone of friendly counsel, alterations similar to those which France is proposing as the alternative of hostilities.

Your Excellency will speak in this sense to M. de Chateaubriand, when you acknowledge on my part' the receipt of his Official Note; from the general tone of which, and from the friendliness of its expression towards this country, you will inform M. de Chatenubriand that His Majesty's Government derives the liveliest satisfaction; at the same time that it views with deep regret the tendency of that part of the

mared to constant of bonan

expectation of hostilities with I am, &c. Spain.

(Signed) GEORGE CANNING. His Excellency the Rt. Hon. Sir C. Stuart, G. C. B. &c.

CLASS B.

PARIS AND MADRID. No. I .- Mr. Secretary Canning to Sir William A'Court. Foreign Office, Dec. 3, 1822.

(Extract.)

In order that you may be fully informed of the manner in which the question of interference in the affairs of Spain has been treated at the conferences at Verona, I have directed copies of the principal communications received from the Duke of Wellington on that question, to be prepared for you; and herewith transmit them to you for your information.

No. II .- Mr. Secretary Canning to Sir William A'Court. Foreign Office, Dec. 9, 1822.

(Extract.)

On the day after I had despatched my last messenger to you, M. de Colomb, the Spanish Charge d'Affaires, requested a Conference; at which he first read, and then delivered to me, the Extract of a Despatch from his Court, of which I inclose a copy.

* See the Inclosure in No. 7, of Ve-

rona and Paris papers.

No. III.-Mr. Secretary Canning to Sir William A'Court.

Foreign Office, Dec. 9, 1822.

(Extract.)

I have received this morning, the Duke of Wellington's final

despatches from Verona.

No argument will be left unem-ployed on the part of His Majesty which may tend to allay a warlike disposition in His Most Christian Majesty's Councils. His Majesty's mediation between France and Spain, if solicited by Spain and accepted by France, would be gladly given and earnestly exerted, | No. VI .- Mr. Secretary Canning to settle the disputes between those Powers, and to preserve the peace of the world.

If Spain be disposed to solicit that mediation, she will entitle herself to it; first, by redressing our grievances; and, secondly, by a confidential and spontaneous assurance, that His Catholic Majesty and his fumily are altogether safe from violence.

Upon this latter point, it is not intended that you should make any direct demand to the Spanish Government. It could not properly find its place in a diplomatic communication to the Minister of His Catholic Majesty But M. San Miguel may be easily led to understand how important an aid would be afforded to any interposition of ours in behalf of Spain, if we could accompany it with the declaration of our entire conviction, that on this point Europe has nothing to fear.

No. IV .- Mr. Secretary Canning to Sir William A'Court.

Foreign Office, Dec. 17, 1822.

(Extract.)

I transmit to you an extract* of a despatch which has been received from the Duke of Wellington at Paris.

You may confidently assure the Spanish Minister, that no effort has been, or will be left untried, on the part of His Mujesty to prevent a war against Spain.

See No. 8, Verona and Paris Papers.

No. V .- Mr. Secretary Canning to Sir William A'Court.

Foreign Office, Dec. 28, 1822.

(Extract.)

I re-despatch your Messenger with the inclosed Copy of an Official Note* presented to the French Government by the Duke of Wellington the day before his departure from Paris.

You will communicate it to M. de San Miguel; and, if desired, will furnish him with a true Copy of it. · See Inclosure No. 10, Verona and Paris

to Sir William A'Court. Foreign Office, Dec. 29, 1822.

(Extract.)

Sir Charles Stuart has transmitted the answer of the French Government to the Official Note presented by the Duke of Wellington at Paris. In that answer (of which I enclose a copy*) the French Government, while it declines accepting the proffered mediation of His Majesty, on the ground that there is no specific point of difference, to the removal or explanation of which mediation can be distinctly applied, expresses nevertheless the pleasure with which it views the "conciliatory dispositions" of the British Government, and the hope which it derives from these dispositions of the continuance of peace in Europe.

Sir C. Stuart at the same time reports to me the instructions which have been transmitted by the French Government to + their Minister at Madrid. M. de Marcellus has been with me this morning for the purpose of making, by order of his Government, a similar

communication.

As the object at Verona was to induce us to make common cause with all; so the object of France, since she has to a certain degree reconsidered for herself the measures framed at Verona, appears to be to induce us to concur in her separate and mitigated measure.

* See No. 12 in Verona and Paris Papers.

† Despatch from M. de Villele to M. Lagarde, dated Paris, Dec. 25, 1822.

The truth is, as you are aware, that our objection to joining in the measures settled at Verona was an objection of principle not of de-gree; an objection not capable therefore of being overcome by a mere modification of the execution of them.

It would have been idle to offer our mediation to France, if we had been prepared to unite with her in the

the despatch which she has now addressed to her Minister at Madrid-a menace softened perhaps in its terms, and less precise as to the conditions on which it depends than those of the other Continental Powers, but still vicious in principle, as at once demanding of Spain something to be done in the arrangement of her internal concerns, and denouncing (in however comparatively distant and obscure a manner) war as the consequence of refusal.

In speaking to M. de San Miguel upon the subject of those Instructions, you will disclaim for your Government any participation in this proceeding of the French Government. But you will avow the deep interest the King, our master, feels in the agitations now prevailing in Spain; His Majesty's anxious hope that the Spanish Government and nation, may avoid any excess, either in action or in language; and His Majesty's unabated desire to employ his good offices, in whatever way may be most useful to Spain, for averting the danger with which she is threatened, and for reconciling her to France and to all Europe.

No. VII .- Mr. Secretary Canning to Sir William A'Court. Foreign Office, Dec. 29, 1822.

(Extract.)

It may be of so much use to you, in the present critical state of things, to have with you some person in the Duke of Wellington's entire confidence, and capable of communicating in his Grace's name with individuals whom he has perfeetly known, and who are now in the Spanish Government or Councils, that Lord Fitzroy Somerset has agreed to undertake a journey to Madrid, for the purpose of

can be useful to you.

conditional menace contained in | No. VIII .- Sir William A'Court to Mr. Secretary Canning.-Received January 2, 1823.

(Extract.) Madrid, Dec. 24, 1822. Mr. Jackson is arrived, and has delivered to me your despatches of the 9th ultimo.

I am now really inclined to believe that we shall come to an amicable and satisfactory termination of our discussions with the

Spanish Government.

My conversation with M. San Miguel this morning, began by his pulling from his pocket a large roll of papers, with which, he said, he was going down immedately to the Cortes, with the view of requesting authority from that body to settle every question at issue between England and Spain.

"We are sure of England, (he said,) and satisfied with her position; and we hope that the Cortes will enable us to make her satisfied with Spain. We cannot expect her to range herself on our side, nor to send troops or fleets to assist us; but we are persuaded that she will never assist our enemies, nor furnish them with the means of invading us. It is moreover so much her interest to prevent war breaking out between us and France, that it is quite unnecessary to ask for her mediation. There is certainly nothing to induce us to ask for such a mediation at present; but we are at sea, surrounded by dangers, and menaced by storms, and it is impossible to say that we may not yet require a friendly hand. But we see nothing yet to make it necessary for us to ask any media-tion, nor have we at present any intention to solicit one."

I have thought it advisable, Sir, to repeat to you this conversation, that you may be able to draw from it your own conclusion as the probability of our mediation being Affording you such assistance.

He will set off in the course of next week, and will remain at Madrid as long as you think he has failed: and certainly there is nothing in the despaches from Paris, nor in the conversations or as the friend and wellwisher of conduct of General La Garde, to make this Government despair of avoiding a war without our media-

No. IX .- Mr. Secretary Canning to Lord Fitzroy Somerset.

Foreign Office, Jan. 6, 1823. My Lord,-In returning to your Lordship the Memorandum which the Duke of Wellington has put into your hands, of the points upon which it may be advantageous to the King's service, that your Lordship should communicate verbally his Grace's sentiments to such of the persons now taking a leading part in the affairs of Spain, as may be likely to be influenced by a communication of this confidential nature, I have very little to add to the contents of the memorandum; and that little relates rather to the mode of your acting upon it, than to the substance of the paper itself.

Important as the aid which your Lordship will bring to Sir William A'Court must be, you will, I am sure, be aware of the absolute necessity of not appearing to be invested with any separate mission, which might detract in the eyes of the Spanish Minister from that gentleman's official or personal authority.

Your Lordship will be so good as to consult Sir William A'Court's wishes and opinions as to the occasions on which, and as to the persons with whom you should enter upon the topics entrusted to your discretion; and you will report to him your several conversations, not disguising from the individuals with whom those conversations are held, that you are to do so.

At the same time, however, that you will be thus careful to mark your relation to His Majesty's established Minister, it will be essential to avoid creating the impression, that the suggestions which your Lordship has to offer on the the performance of their duty in part of the Duke of Wellington,

Spain, are only in another shape demands on the part of your Government. A voluntary adoption of the suggestions of the Duke of Wellington would enable us to mediate for Spain with France. with an effect infinitely more powerful. But we do not, like France, demand any thing of this sort as the price of our forbearance to break with Spain.

What is necessary to enable us to mediate for Spain with honour, is the redress of the grievances which we have against her. But that matter is in Sir William A'Court's hands, and is, I hope, in a train of settlement.

With regard to the length of your stay at Madrid, I have only to refer you to your own and Sir William A'Court's joint discretion.

I shall hope to hear from your Lordship soon after your arrival, and as often as there is a safe opportunity of writing.

I have the honour to be, &c. (Signed) GEORGE CANNING. The Right Hon. Lord Fitzroy Somerset.

(Inclosure in No. 9.) Memorandum by the Duke of Wellington for Lord Fitzroy Somer-

London, Jan. 6, 1823. It is important to make the Spaniards feel that a King being necessary for the Government of their country, and a part of her system, as established by themselves; it follows, as a matter of equal necessity, that the powers and prerogative assigned to the King in the system, should be such as to enable him to perform his duties, and such as in reason a King ought to be satisfied with.

If the situation of the King is not what it ought to be; if he has not the power to protect himself, and those employed under him, in the service of the public; and if

the King has not reason to be satisfied that the power allotted to arrived Coastwise, from May 5 to him by the law is sufficient—the May 10, inclusive. country will never be in a state of tranquillity, be the system of Government what it may.

There will be perpetual successive Royalist insurrections in one part of the country or the other; and the King and his Government will be the objects of never-ceasing

jealousy and distrust.

The family connexion between His Catholic Majesty and the King of France-and the interest which the latter naturally feels for the welfare of the former-will occasion a perpetual irritation between the two countries, so long as the situation of the King in Spain is not what it ought to be: which it may be expected will, sooner or later, occasion war, and the invasion of the weaker country.

MARKETS.

Average Prices of CORN throughout England, for the week ending 3d May.

Per Quarter. Barley33 Oats24 Peas36

Corn Exchange, Mark Lane.

Quantities and Prices of British Corn, &c. sold and delivered in this Market, during the week ended Saturday, 3d May.

we Qrs.	£ .	de alestras es	d.
Wheat . 6,026 for Bartey . 6,000	18,567 11	10 Average, 61	7
PRCB . 10.007	22,024 16	8	
Rye Beans1,527		The second of the second of	0.00
Peas 261	440 17	333	9

Quarters of English Grain, &c. Pease 202 Wheat...6,513 Tares.... -Barley 1,917 Linseed Malt 2,311 Rape 20 Oats....11,232 Brank Rye Beans ... 1,428 Mustard Various Seeds. . 189 qrs. Flour 10,027 sacks. From Ireland.—Oats 2,860 qrs. Flour 100 sacks. Foreign. Oats 200; Linseed 1000; Brank 1015; Hemp 140; and Sesame 52 qrs. SMITHFIELD, Monday, May 12th. Per Stone of 8 pounds (alive). 8 to 4 8 Beef3 Mutton.....4 0 — 4 10 Veal......4 6 — 5 6 Pork.....4 0 — 4 10 Lamb 5 4 - 6 4 Beasts . . . 2,258 | Sheep . . . 16,660 Calves 220 | Pigs 220 NEWGATE (same day). Per Stone of 8 pounds (dead). Pork...... 2 8 - 4 8 Lamb4 0 - 6 0 LEADENHALL (same day). Per Stone of 8 pounds (deud).

> City, 14 May 1823. BACON.

In the early part of the present season the general opinion was, that 26s. on board would be a sefe price to make time bargains at; but that it would not be safe to go

Veal 3 4 -- 4 8 Pork......2 8 — 4 10 Lamb,......4 6 — 6 0

much beyond that price. The expectation of war, however, which soon followed, countenanced as it was by some who were thought to be pretty good judges, caused these prudent calculations to give place to the old notions of high prices; and every one seemed eager to have a share almost without regard to price; for in many instances as high prices were given, on the same day, for Bacon to be shipped, as for that which was landed. But the holders begin now to see their error: they are alarmed and not without reason: the backward state of vegetation; the acknowledged plentitude of hogs in this country; and the great quantity of Bacon already arrived from Ireland, are sufficient to alarm the boldest. Last year to this time the imports were about 240,000 flitches; this year about 260,000 flitches, exclusive of about 60,000 left over from last year's stock; and which, in consequence of the high price of the new, has been, for some time past, selling as a substitute for the new. It is to be observed, too, that very little has, as yet, come from Belfast: so that if we have the usual supply from that port, and the weather continue, as it now is, favourable for manufacturing, this may prove one of the most disastrous seasons known for many years past. On board, 38s. to 39s.; cost of bringing and drying, about 7s. per cwt.-Dried, 42s. to 44s.

BUTTER.

No Irish selling. The Dutch has suddenly fallen to 82s. to 84s.

CHEESE.

The high prices which the factors have been asking, have materially checked the consumption of cheese; and as there seems to be a great abundance of Cheshire, other kinds must come down. Old Cheshire, 54s. to 66s.—New, 50s. to 56s.—Double Gloucester, 56s. to 62s.—Single, 54s. to 60s.

POTATOES.

The second secon	The second secon	
SPITALFIELDS.	-per Ton.	
Ware £3		,
Middlings2	10 - 2 1	5
Chats2	5 - 21	0
Common Red3	0 - 3 10	0
minns Oc Od _O.	Od narhue	h

Borough .- per Ton.

The state of the s	
Ware£3	10 to £4 10
Middlings2	0 - 2 10
Chats1	
Common Red 3	0 - 3 15
Onione Or Od _O	Od ner hush

HAY and STRAW, per Load.

Smithfield	-Hay 60s.	to	845.
S. P. Sander	Straw 45s.	to	50s.
	.Clover 80s.	to	90s.
St. James's	-Hay 64s.	to	931.
	Straw 48s.		
Section Comment	Clover 80s.	to	951.
Whitechape	1Hay 70s.		
	Straw. 42s	. to	524.
Samuel State of the State of th	Clover 80s		

Price of HOPS, per Cwt. in the

New			5.1	
Kent£2	10	to a	E4	0
Sussex2	2	_	2	8
Essex 0	0	_	0	0
Yearling Bags		3	05	-36s.

New Pockets. Kent...£2 10 to £4 4 Sussex...2 8 - 3 0 Essex...2 14 - 3 15 Farnham...6 0 - 7 0 Yearling Pockets...35s.—45s.

Maidstone, May 8.— Our Hop Plantations at present have a very unfavourable appearance, and there are many grounds where the plant is entirely eat off by the flea, which is more general this season than usual: a good ground rain is considered will assist them. The trade seems heavy unless at very low prices.